



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/02/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD)No.1572 of 2021

Prakash ... Petitioner/Accused No.2

Vs

State rep.by its
The Inspector of Police,
All Women Police Station, Lalgudi,
Trichy District.
(Crime No. 25 of 2020.

... Respondent/Complainant

For Petitioner : Mr.N.Anandakumar,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.25 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 376(1) and 506(1) IPC in Crime No.25 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused committed rape of the victim girl, who is an insane person. Hence, the present complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side), appearing for the respondent police submitted that the petitioner and other



accused committed very serious offence against the insane girl. 164 Cr.P.C., statement of the girl reveals that the petitioner and other accused raped the victim girl. Hence, he opposed to grant anticipatory bail to the petitioner.

5. It is seen from the 164 Cr.P.C., statement of the victim that the petitioner and other accused, taking advantage of the mental state of the victim, they had physical relationship, out of which, she got pregnant. Only thereafter, the crime committed by the petitioner and other accused came to light and a complaint was lodged. In the statement of the victim, she had clearly stated about the presence of the petitioner and other accused. In view of the same, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed. The respondent police is directed to secure the petitioner herein at the earliest.

sd/-

17/02/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, LALGUDI,
TRICHY DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.1572 of 2021

Date :17/02/2021

gns

AE/SMA/SAR-I (01/03/2021) 2P / 3C